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6 *Attorney for Plaintiffs*

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 ***

10 TAYLOR SOMMER, individually; TAYLOR
11 SOMMER, as the Administrator of the ESTATE
12 OF REINER SHAWN SOMMER, deceased,

13 Plaintiffs,

14 vs.

15 CITY OF LAS VEGAS, NEVADA, a political
16 subdivision of the State of Nevada; LAS
17 VEGAS METROPOLITAN POLICE
18 DEPARTMENT, a political subdivision of the
19 State of Nevada; KEVIN McMAHILL,
20 individually and as a policy maker and Sheriff of
21 LAS VEGAS METROPOLITAN POLICE
22 DEPARTMENT; SERGEANT GERALD
23 BAGAPORO, individually and in his official
24 capacity; SERGEANT JEFFREY BLUM,
25 individually and in his official capacity;
26 OFFICER ANDREW GARCIA, individually
and in his official capacity; OFFICER JOSEPH
ORTEGA, individually and in his official
capacity; DOE LAS VEGAS METROPOLITAN
POLICE DEPARTMENT SUPERVISORS I
through X, inclusive; ROE LAS VEGAS
METROPOLITAN POLICE DEPARTMENT
OFFICERS XI through XX, inclusive,

27 Defendants.
28

Case No.: 2:23-cv-01682-GMN-NJK

**STIPULATION TO EXTEND TIME TO
FILE AMENDED COMPLAINT (FIRST
REQUEST)**

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COMES NOW, Plaintiff, TAYLOR SOMMER, individually, and TAYLOR SOMMER, as the Administrator of the ESTATE OF REINER SHAWN SOMMER, deceased (*collectively*, “*Plaintiffs*”), and Defendants, LAS VEGAS METROPOLITAN POLICE DEPARTMENT; KEVIN McMAHILL; SERGEANT GERALD BAGAPORO; SERGEANT JEFFREY BLUM; OFFICER ANDREW GARCIA; and OFFICER JOSEPH ORTEGA (*collectively*, “*Defendants*”) by and through their undersigned counsel of record, and hereby stipulate and agree as follows:

1. The Defendants hereto filed a Motion to Dismiss on November 7, 2023 [ECF #6].
2. On September 29, 2024, the Court entered an Order Granting Motion to Dismiss [ECF #25]. Pursuant to said Order, the Court also granted Plaintiff leave to file an Amended Complaint within 21 days from the date of the Order.
3. Twenty-one days from September 29, 2024, falls on Sunday, October 20, 2024, making the Amended Complaint currently due by October 21, 2024.
4. Plaintiff’s counsel has had a large number of other work obligations over the span of the past several weeks and is unsure that he will be able to complete and file the Amended Complaint by the current due date. Correcting the deficiencies identified by the Court will require substantial time and effort, including the review of numerous deposition transcripts and the identification of other cases involving LVMPD interactions with persons suffering from medical and/or mental health crises.
5. Based upon the foregoing, Plaintiff’s counsel has requested and shall be granted an extension of time of 10 days in which to file a First Amended Complaint, until October 31, 2024. This is the first request for an extension of time.

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6. This Stipulation is made in good faith and not for purpose of delay.

DATED this 17th day of October, 2024.

ROGER P. CROTEAU & ASSOCIATES, LTD.	MARQUIS & AURBACH
<p><u>/s/ Timothy E. Rhoda</u></p> <p>ROGER P. CROTEAU, ESQ. Nevada Bar No. 4958 TIMOTHY E. RHODA, ESQ. Nevada Bar No. 7878 2810 West Charleston Blvd., #67 Las Vegas, Nevada 89102 702-254-7775 croteaulaw@croteaulaw.com <i>Attorney for Plaintiffs</i></p>	<p><u>/s/ Craig R. Anderson</u></p> <p>CRAIG R. ANDERSON, ESQ. Nevada Bar No. 6882 10001 Park Run Drive Las Vegas, Nevada 89145 702-382-0711 canderson@maclaw.com <i>Attorney for Defendants</i></p>

ORDER

IT IS SO ORDERED: October 21, 2024


 UNITED STATES MAGISTRATE JUDGE